

FILED

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

2014 JUL 14 PM 4:52

CLERK US DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY *[Signature]*
DEPUTY

VERSATA SOFTWARE, INC., f/k/a Trilogy Software, Inc.; and VERSATA DEVELOPMENT GROUP, INC., f/k/a Trilogy Development Group, Inc.,

Plaintiffs,

-vs-

Case No. A-14-CA-562-SS

XIMPLEWARE CORP.,

Defendant.

ORDER OF DISMISSAL

BE IT REMEMBERED on this day the Court reviewed the file in the above-styled cause, and specifically the "Defendant Ximpleware Corp.'s Motion to Dismiss or in the Alternative to Transfer Venue" [#9 filed June 23, 2014], and noting that no response to the same has been filed by the plaintiffs as required by the local rules of this district and, therefore, this is not a contested motion, and further noting that on July 11, 2014 the plaintiffs filed a notice of dismissal pursuant to Rule 41 of the Federal Rules of Civil Procedure, and it is apparent that all parties want to dismiss this case but also desire to make it complex by the filing of extension motions to be reviewed by the undersigned and staff, but the undersigned does not object to the dismiss of this case in light of the parties' history of litigation:

IT IS ORDERED that the above-styled and numbered cause is DISMISSED without prejudice to the rights of any party and each party shall pay its own costs and attorney's fees.

SIGNED this the 14 day of July 2014.

Bansparas
UNITED STATES DISTRICT JUDGE

